ESTTA Tracking number:

ESTTA317394

Filing date:

11/18/2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91162503		
Party	Plaintiff St. Louis Cardinals LLC		
Correspondence Address	Mary L. Kevlin Cowan, Liebowitz & Latman, P.C. 1133 Avenue of the Americas New York, NY 10036 UNITED STATES mlk@cll.com		
Submission	Motion to Suspend for Settlement Discussions		
Filer's Name	Maryann E. Licciardi		
Filer's e-mail	mel@cll.com, trademark@cll.com		
Signature	/Maryann E. Licciardi/		
Date	11/18/2009		
Attachments	STL (NLM) - Motion on Consent to Continue Suspension 111809.PDF (3 pages)(12423 bytes)		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 74/614,716		
Filed: December 23, 1994		
For Mark: STL and Design		
Published in the Official Gazette: June 1	1, 1996	
	X	
	:	
ST. LOUIS CARDINALS, LLC,	:	
	:	
Opposer,	:	
v.	:	
	:	
NEGRO LEAGUES BASEBALL	:	
MUSEUM, INC.,	:	
	:	Opposition No. 91162503
Applicant.	:	
	X	

Commissioner of Trademarks Attn: TTAB P.O. Box 1451 Alexandria, VA 22313

MOTION ON CONSENT TO CONTINUE SUSPENSION OF PROCEEDINGS AND TO EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED

Opposer, by and through counsel, hereby moves for an order continuing the suspension of the proceedings in this matter for a period of six (6) months, until **May 19, 2009**. Applicant's counsel consented to this motion, which is requested to allow the parties to continue to engage in settlement discussions.

Progress has been made in the international resolution of the Parties' dispute, which affects this Opposition, another U.S. opposition between the Parties and other pending opposition matters in Europe, as well as use issues relating to the Parties' respective marks. Since the last continuance, due to changes in key personnel within Opposer's organization,

business concerns of Opposer and points previously raised by Applicant, Opposer has engaged in

a series of internal discussions relating to the proposed terms, the possible redrafting of certain

points in the settlement agreement and issues raised by Applicant. Additionally, Opposer's in-

house counsel and Applicant's counsel recently participated in a telephone settlement conference

to discuss these remaining issues. The additional time is requested to allow the Parties time to

further negotiate the outstanding settlement terms. If accepted, the settlement agreement would

resolve this Opposition without the need to continue with the Opposition, and would also resolve

other related U.S. and international matters.

If the Board grants this motion, in the event that the matter is taken out of suspense, the

parties request that six months of discovery be allowed and that the discovery cut off be reset to

six (6) months after the proceedings resume so that the parties will have the full period of

discovery in the event that the matter is not able to be resolved. The trial periods should be reset

accordingly.

Dated: New York, New York

November 18, 2009

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.

Attorneys for Opposer

By: /Maryann E. Licciardi/

Mary L. Kevlin

Maryann E. Licciardi

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Certificate of Service

The undersigned hereby certifies that a true and correct copy of the foregoing Motion on

Consent to Continue Suspension of Proceedings was served on Applicant by mailing a copy, by

First Class Mail, postage prepaid, to Applicant's attorney Michael Elbein, Esq., Hovey Williams

LLP, 10801 Mastin Blvd., 84 Corporate Woods, Overland Park, KS 66210 on November 18,

2009.

Dated: New York, New York

November 18, 2009

/Maryann E. Licciardi/

Maryann E. Licciardi

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